

HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

**THE CITY OF NEW YORK  
LAW DEPARTMENT**

100 CHURCH STREET  
NEW YORK, NY 10007

INNA SHAPOVALOVA  
Senior Counsel  
Phone: (212) 356-2656  
Fax: (212) 356-3509  
Email: inshapov@law.nyc.gov

May 15, 2023

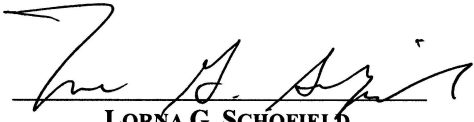
**BY ECF**

Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Application **DENIED**. The Court does not generally adjourn initial pretrial conferences until after the deadline to answer, move or otherwise respond to the Complaint. The parties shall file the joint letter and proposed case management plan by **May 24, 2023**. If Defendants are not able to contact Plaintiff to prepare the joint material, they shall prepare and file the required materials on their own behalf. So Ordered.

Dated: May 16, 2023  
New York, New York

Re: DeQuan Reyes v. City of New York, et al.  
23 Civ. 01145 (LGS)

  
**LORNA G. SCHOFIELD**  
UNITED STATES DISTRICT JUDGE

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney for defendant the City of New York ("City") in the above-referenced matter.<sup>1</sup> I write to respectfully request: (1) an adjournment of the initial pretrial conference currently scheduled for May 31, 2023 at 4:10 p.m to a date and time convenient for the Court after July 3, 2023; and (2) a corresponding extension of time for the parties to submit a proposed case management plan and joint letter. This is defendant City's first request of this kind. The undersigned was unable to contact plaintiff for his consent due to his current incarceration status.

By way of background, plaintiff brings this action, pursuant to 42 U.S.C. § 1983, alleging, *inter alia*, retaliation, negligence, and deliberate indifference to medical care arising from the incidents on or about May 18, 2021 until on or about January 23, 2023. See ECF No. 2. On April 4, 2023, the Court issued an Order of Service and ordered that, *inter alia*, defendant City of New York waive service of summons by May 4, 2023. See ECF No 8. On April 17, 2023, the Court scheduled an initial pretrial conference to be held in this matter on May 31, 2023 at 4:10

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<sup>1</sup> This case has been assigned to Assistant Corporation Counsel Esther Kim, who is awaiting admission to the New York Bar. Ms. Kim is handling this matter under my supervision and may be reached at (212) 356-2340 or eunkim@law.nyc.gov.

p.m., and ordered the parties to “confer and jointly file a proposed case management plan and letter.” See ECF No. 11. In accordance with the Court’s April 4<sup>th</sup> Order, defendant City filed a waiver of service on May 4, 2023 and accordingly, its deadline to answer or otherwise respond to the Complaint is July 3, 2023. See ECF No. 17. On May 12, 2023, the parties were scheduled to meet and confer pursuant to the Court’s April 17<sup>th</sup> Order, however, upon calling the George R. Vierno Center (“GRVC”) facility at the arranged date and time, the undersigned was informed that plaintiff was in attendance at another court appearance. This Office then contacted the DOC liaison to reschedule the telephone call with plaintiff.

Accordingly, defendant City respectfully requests: (1) an adjournment of the initial pretrial conference currently scheduled for May 31, 2023 at 4:10 p.m to a date and time convenient for the Court after July 3, 2023, which is the current deadline for defendant City to respond to the Complaint; and (2) a corresponding extension of time for the parties to submit a proposed case management plan and joint letter.

Thank you for your consideration herein.

Respectfully submitted,

*Inna Shapovalova*

Inna Shapovalova  
*Senior Counsel*  
Special Federal Litigation Division

cc: **BY FIRST-CLASS MAIL**  
DeQuan Reyes  
*Plaintiff pro se*  
4411-804-847  
Rikers Island: G.R.V.C.  
09-09 Hazen Street  
East Elmhurst, NY 11370